

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of
THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

January 14, 1983

The Board convened at 3:10 P.M. with the following members present: Thomas B. McTeer, Jr., Chairman, presiding; Louis P. Batson, Jr., John J. Britton, Robert R. Coker, Fletcher C. Derrick, Jr., W. G. DesChamps, Jr., William N. Geiger, Jr., Paul W. McAlister, James C. Self, and James M. Waddell, Jr.

Also present: D. Leslie Tindal, Trustee Emeritus.

Members of the Administration present: Bill L. Atchley, Ben W. Anderson, Melvin E. Barnette, Walter T. Cox, Clarence E. Hood, Kirby Player and Joseph B. McDevitt, Secretary

Official Observers present: Leonard C. Butler, President of the Alumni Association; I. L. Donkle, Past President of the Alumni Association; and John Timmerman, President of IPTAY.

Item 1. Roll Call

Item 2. Minutes

The Minutes of the meetings of September 17, 1982 and November 6, 1982, previously submitted by mail to all members of the Board of Trustees, were approved.

Item 3. In Memoriam -- Troy Kenneth Cribb

TROY KENNETH CRIBB

June 26, 1922 - December 14, 1982

Agribusinessman, merchandising and marketing expert, civic and religious leader, Clemson University alumnus, Troy Kenneth Cribb was elected in 1963 by the General Assembly to the Clemson University Board of Trustees. He was reelected to five full terms on the Board in 1964, 1968, 1972, 1976 and 1980, serving diligently for eighteen years until his death in 1982.

Kenneth Cribb devoted his time, his ability, his sensitivity, and his deep concern and love to the steady progress and continued excellence of Clemson University. He was dedicated to high standards of academic achievement, and he strove to preserve and build on the great tradition that is Clemson's. He believed the intellectual environment and cultural life of this campus contribute immeasurably to the total educational experience of Clemson students and the life of the University as a whole. Looking upon Clemson as his second home, he did not spare his time, his interest, or his love. For this unselfish service, we shall always be in his debt.

During his distinguished tenure as a Clemson Trustee, Kenneth Cribb played key roles on several important committees: Development and Public Relations; Agricultural Regulatory; Budget and Finance; Student Affairs; Educational Policy; and Executive. At various times he chaired the Agricultural Regulatory Committee, the Educational Policy Committee, and the Selection Committee appointed by the Board to name the final candidates in 1979 for the presidency of the University.

He was active in IPTAY, and he also served as a member of the Clemson Board of Visitors, member of the Board of Directors of the Clemson University Foundation, and as an ex-officio member of the Clemson University Alumni National Council.

Kenneth Cribb always believed that his greatest honor in life was receiving his Clemson diploma. Graduating in 1943 with honors, he was President of Blue Key, co-editor of The Tiger, member of Senior Council, Tiger Brotherhood and Gamma Alpha Mu. He is listed in Who's Who in American Colleges and Universities.

We the Board of Trustees, considered him to be a guardian of this University's basic mission: to educate students so that they achieve their fullest potential and in so doing contribute to the improvement of South Carolina, this nation and the world.

BE IT RESOLVED, THEREFORE, that the Board of Trustees of Clemson University expresses to the family of Troy Kenneth Cribb its deepest sympathy. We each experience a feeling of deep and personal loss that he will no longer serve with this Board for the betterment of this institution. We are, however, eternally grateful that it was our great privilege to serve with him and know his friendship.

BE IT FURTHER RESOLVED that this memorial be presented to the Cribb family and that the memorial itself be spread upon the official minutes of the Board of Trustees.

Board Action: Adopted

Item 4. Resolution of Appreciation for D. Leslie Tindal

D. LESLIE TINDAL

Member of the Clemson University Board of Trustees
1973 - 1982

WHEREAS, public service of a superior quality is a cornerstone of the Clemson University tradition; and

WHEREAS, this tradition of serving the people of South Carolina is nowhere better exemplified than by the Members of the University Board of Trustees who give unselfishly of their time and energies; and

WHEREAS, the continued progress and development of Clemson University towards high academic excellence, and achievement in public service is in large measure a tribute to the wisdom and foresight of numerous distinguished South Carolinians who have served as trustees; and

WHEREAS, D. Leslie Tindal of Pinewood was first elected a Clemson Trustee by the South Carolina General Assembly on March 27, 1973 to fill an unexpired term and was subsequently reelected to four year terms to start in 1974, 1978 and 1982, and has served in an outstanding manner and with great distinction; and

WHEREAS, during his tenure on the board of trustees, Mr. Tindal has served faithfully on many committees where proposals and recommendations, which are later to be brought before the full board, are first considered and reviewed; and

WHEREAS, his committee appointments include the Educational Policy Committee, the Student Affairs Committee, the Development Committee, which he served as Chairman, the Executive Committee, which he served as Vice-Chairman, and the Agricultural Regulatory Committee to which he brought his extensive knowledge and expertise in farming; and

WHEREAS, on each of these committees, he served ably well and his contributions to their deliberations were most constructive and substantial; and;

WHEREAS his agricultural achievements in Clarendon and Sumter Counties and his contributions to the growth and progress of the State's agri-business industry are widely known and respected, especially his leadership in bringing soybeans to prominence as a crop for South Carolina and an export commodity for the United States; and

WHEREAS, he has been the recipient of numerous well deserved honors recognizing his excellence as an agriculturalist and community-minded citizen who is active in the civic and church life of his community, as well as numerous farming organizations in which he has held office. Mr. Tindal was named Man of the Year in Service to South Carolina Agriculture by Progressive Farmer magazine in 1971 and Co-op Man of the Year in 1973 by the South Carolina Farmer Cooperative Council; and

WHEREAS, Mr. Tindal was elected South Carolina Commissioner of Agriculture in November 1982, a position which brings him to a new dimension of public service to work for the people of South Carolina; and

WHEREAS, his fellow trustees desire to wish him well in this new assignment and honor him for his distinguished service to Clemson University.

NOW, BE IT THEREFORE RESOLVED that the Clemson University Board of Trustees wishes to express its sincerest appreciation to Leslie Tindal, Trustee Emeritus, for his outstanding leadership and all he has meant to the success of Clemson and his commitment to the institution's overall excellence.

Board Action: Approved

Item 5. Emeritus Status for D. Leslie Tindal

Senator Waddell asked that the record reflect that Mr. Tindal now has the status of Trustee Emeritus, that privilege having been automatically accorded upon his request pursuant to Board policy.

Item 6. Statement by Senator Waddell

Senator Waddell read a prepared statement entitled "Chips for the Future: Silicon, Chicken or Cow." He recommended that Clemson make an offer to the Governor, the Budget and Control Board, and the General Assembly: "If the State will provide a mandate and a reasonable level of funding, Clemson will develop a plan and a process for creating 15,000 to 20,000 jobs in agribusiness over the next five years. Such a program would lower the unemployment rate by 1.5% to 2.5%. Given present and projected weak levels of capital investment in the manufacturing economy and the growing loss of jobs in service and trade, this may be South Carolina's way out. Further, the jobs provided by this program would not require extensive retraining and would be spread in many areas that cannot attract manufacturing jobs."

Board Action: Received for information. (Copy on file with Secretary.)

Item 7. Site for Establishment of a Florence Area Regional Farmers' Market

The University has been requested to make available land at the so-called "tobacco area" of the current Pee Dee Experiment Station at Florence for the establishment of what is usually referred to as a "regional farmers' market." A proper decision by the Board in response to this request requires considerable background information.

Background

Pursuant to General Assembly Act 614 of 1971, the State Treasurer advanced to Clemson University \$1,487,471.00 with which the University in 1972 purchased land for the relocation of the Pee Dee Experiment Station. It was understood that the monies thus advanced represented an indebtedness to be repaid to the State Treasurer with funds which would be generated from the sale of the present Pee Dee Experiment Station land after the Station's relocation to the new site. At that time, in 1972, it was contemplated that the relocation would take place in 1982.

In 1978 the Board of Trustees offered to the Budget and Control Board to accelerate the liquidation of the aforesaid indebtedness in the following manner. It was determined that the Coast Experiment Station land at Summerville was no longer needed for current or foreseeable research purposes. The land had an appraised value of \$1,285,000.00 or \$202,471.00 less than the indebtedness of the University. Pursuant to six prior Acts of the General Assembly, the University had deeded a total of 92.71 acres of land to six state agencies without compensation therefor. In each instance the Act of the General Assembly had stated that Clemson would eventually be given credit for those transfers.

The offer by the Board of Trustees to the Budget and Control Board was that the Summerville Station property be conveyed to the State and that the University be given credit for the value of the 92.71 acres, and in return, the \$1,487,471.00 indebtedness be deemed liquidated. This offer by the Board of Trustees was accepted by the Budget and Control Board at its meeting on January 4, 1979 and the deed of the Summerville property consummating the transaction was executed on November 30, 1979.

The aforesaid Act 614 of 1971 which had authorized the University to purchase the new Pee Dee Station land contemplated that when the Station was relocated the old Pee Dee Station land would be sold and the money derived from such sales would be used, subject to approval by the State Budget and Control Board, and in order of priority, (1) to repay the indebtedness and (2) for capital improvements at the new station site. Since the indebtedness has been satisfied, this leaves the second priority to be met with monies derived from sale of the old Pee Dee Station land.

The old Pee Dee Station property at Florence is in two locations, one referred to as the headquarters area, the other referred to as the "tobacco area." Station activities which have previously been carried on at the "tobacco area" have now been relocated to the new station, and the "tobacco area" lands are deemed excess to station needs. One hundred nine acres of land in that area are now available for disposition. For many years 59 of those acres have been used by the United States Department of Agriculture for soil research purposes, and the federal government is now desirous of acquiring ownership in that tract. It has proposed an exchange of that tract for 3.2 federally owned acres with an office building containing laboratories, a head house and green houses located in Charleston adjacent to the Coast Experiment Station of the University. The federal government makes this proposal in contemplation of relocating its facilities at Charleston. Appraisals have been obtained on the 59 acres at Florence and the USDA property in Charleston which places the latter property \$208,604.00 in higher value

(\$145,400.00 vs. \$354,004.00). However, it has been proposed to USDA that the University acquire only the 3.23 acres of land and the office building in return for USDA acquiring the 59 acres at Florence. This would leave ownership of the head house and green houses in USDA until some later time when it has relocated those activities elsewhere. The exchange thus described would reduce the difference between the appraised values to \$9,260.00, which is considered a negotiable amount.

Turning to the establishment of the farmers' market, and assuming that the 59 acre exchange with USDA were to be agreed, there would remain 50 acres in the "tobacco area" available for the farmers' market project. One appraisal has been obtained on the tract and its value has been placed at \$286,000.00.

Mr. Tindal introduced Mr. Laurie Lawson, Chairman of the State Commission on Agriculture, Representative Woody McKay, Member of the House of Representatives, and Senator Tom Smith, State Senator from Florence. The latter spoke in behalf of the Florence Farmers' Market Project. He proposed that the University lease the 50 acres to the State Department of Agriculture for five years with an option to purchase at the end of that time at an appraised value established either at present or at the end of the lease. He stated that there was available \$37,500.00 in the Department of Agriculture budget for initial improvements on the property. He envisioned retail activities on the property in the beginning, with trucking and storage operations to follow. Any improvements placed on the property during the lease period would become the property of the University if the option to purchase is not exercised.

Motion by Senator Waddell: That the Board of Trustees authorize the Administration to reach agreement with Florence officials and the State Department of Agriculture on the acquisition, by purchase or lease, by that Department of University land in the old Pee Dee Station for use as a farmers' market, such acquisition to be on terms and conditions which will ensure an equitable return to the University and that the property will revert to the University if it ever ceases to be used as a farmers' market, the said agreement to be subject to Board approval when finalized.

Board Action: Approved

Item 8. Resolution Changing Daniel Memorial Fund

WHEREAS, in 1942, Daniel Construction Company of Greenville, South Carolina created a Plan for student financial aid at (then Clemson College) in memory of James Fleming Daniel and Fred Adams Daniel, and

WHEREAS, the Plan provided for a maximum loan per individual per year of \$125.00 plus eligibility for an additional \$125.00 per year for work performed for the College, and

WHEREAS, in 1958 the said Daniel Construction Company amended the 1942 Plan to provide that investment income from the corpus of the fund could be used for either loans or grants in amounts not to exceed \$500.00 per recipient per year, and

WHEREAS, the Plan provides that the Board of Trustees "shall have the further right to make whatever other disposition of this fund, corpus and income, that said Board shall think proper, and for the best interest of said college, if the Board shall conclude that this trust fund is no longer needed for the purpose that it is now being set up for" and

WHEREAS, the present Chief Executive Officer of Daniel Construction Company has indicated the desire that the investment income from the fund be used to provide scholarships for minority students, now

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY, that the annual investment income from the Daniel Memorial Fund, which fund approximates \$40,000.00 at this time, shall be utilized in such manner as the President shall deem most advantageous in providing scholarships to attract and retain academically proficient minority students, and

FURTHER BE IT RESOLVED, that the awarding of these scholarships shall be in memory of James Fleming Daniel and Fred Adams Daniel.

Recommendation of the Executive Committee: That the Board adopt the aforesaid Resolution.

Board Action: Adopted

Item 9. Change in Name of Department of Recreation and Parks Administration

Statement: The Administration has determined that a change in the name of the present Department of Recreation and Parks Administration in the College of Forest and Recreation Resources would be more reflective of that department's current programs.

Recommendation of the Executive Committee: That the Board approve the name: Department of Parks, Recreation and Tourism Management.

Board Action: Approved

Item 10. Naming the Large Auditorium of the College of Architecture

Statement: At the Board of Trustees meeting on Friday, September 17, 1982, Mr. Geiger informed the Board that Dean McClure had recommended the naming of the large auditorium in Lee Hall in honor of William G. Lyles. Mr. Geiger stated that it was not his intention to bypass University procedures for recommending names of buildings and facilities and that he did not at that time move for approval of the name. However, he suggested that the Board of Trustees express its sentiment, and the Board expressed a unanimous consensus in favor of Dean McClure's recommendation.

On September 21, 1982, the Secretary of the Board informed the Special Advisory Committee to the Board of Trustees on Names of Buildings and Facilities of the recommendation and Board consensus. On October 20, 1982, Dr. Hugh Macaulay, Chairman of the aforesaid Committee, informed the President that the Committee deferred to the unanimous consensus of the Board and stated "we believe this is sufficient authority for adopting it (the recommended name change)."

Recommendation of the Executive Committee: That the Board of Trustees approve naming the large auditorium in Lee Hall Lyles Auditorium in honor of William G. Lyles.

Board Action: Approved

Item 11. South Carolina Electric and Gas Company Request for Easement at Sandhill Experiment Station

Statement: The South Carolina Electric and Gas Company requested that a right-of-way across the Sandhill Experiment Station which had previously been granted by the University in September 1981 be widened as part of a long range plan to meet increased demand for electricity. The plan would eventually interconnect three substations and provide a more reliable service to the area. The Director, Sandhill Experiment Station interposed no objection to granting the request, and the President regarded the purpose to be served by the extension to be in the broad public interest and therefore within Board policy guidelines.

By mail ballot of October 19, 1982, the Board approved the recommendation of the Administration that the right-of-way be granted, and the grant was made on October 26, 1982.

Recommendation of the Executive Committee: That the mail ballot action of October 19, 1982 and the grant of right-of-way of October 26, 1982 be confirmed and ratified.

Board Action: Confirmed and ratified

Item 12. Right-of-way Request of Blue Ridge Electric Cooperative, Inc.

Statement: For continued better service to its customers, Blue Ridge Electric Cooperative, Inc. is reworking certain portions of its lines. Included in the plan is relocation of part of a line that presently crosses the Clemson University Forest. That line would be relocated from its present position to a location running parallel to a nearby public road running through the University property. This will enable the company to maintain the line more readily and will result in less interference to our research forest. When the relocation is complete the old right-of-way will revert back to Clemson in whole.

By mail ballot vote of October 28, 1982, the Board of Trustees approved the recommendation of the Administration that the requested right-of-way be granted and the grant was effected on November 17, 1982.

Recommendation of the Executive Committee: That mail ballot action of October 28, 1982 and the grant of right-of-way of November 17, 1982 be confirmed and ratified.

Board Action: Confirmed and ratified

Item 13. Standards for Prevention or Control of Wood-destroying Organisms

Statement: The Division of Regulatory and Public Service Programs, through the Board of Trustees of Clemson University, heretofore published regulations under the South Carolina Pesticide Control Act. The said Division deemed it advisable to amend those regulations. Said amendment required full compliance with the requirements of Act 176 of 1977, as amended by Act 188 of 1979, including all notice and hearing requirements.

The proposed amended regulations were published in Volume 6, Issue No. 14, of the South Carolina State Register (September 24, 1982) as proposed regulations. A public hearing was held on October 25, 1982 on the proposed amendments and there were no suggestions for change.

Pursuant to Article IV of the By-laws of the Board of Trustees of Clemson University, the Executive Committee (excluding the Chairman of the Board) serves as the State Crop Pest Commission and is vested with full authority to adopt the proposed amendments. By mail ballot action of December 7, 1982 the State Crop Pest Commission approved for publication in final form the proposed amendments.

Recommendation of the Administration: That the full Board note for the record the aforesaid action of the State Crop Pest Commission of December 7, 1982.

Board Action: Noted

Item 14. Boll Weevil Eradication/Suppression Program

Statement: A referendum was held in February of 1982 to determine whether or not the cotton growers of South Carolina wished to assess themselves for the purpose of conducting a boll weevil eradication/suppression program. That referendum failed by a narrow margin to receive the required two-thirds majority vote.

Cotton growers are again requesting that a referendum be held, and the Division of Public and Regulatory Service Programs through its Plant Pest Regulatory Service is planning to conduct this referendum January 28, 1983.

The actual referendum will be conducted through the State Agricultural Stabilization Conservation Service (ASCS) following considerable media coverage and educational meetings by the Cooperative Extension Service.

Pursuant to Article IV of the By-laws of the Board of Trustees, five members of the Executive Committee (excluding the Chairman of the Board) serve as the State Crop Pest Commission. In that capacity the said Commission is vested with all the power and authority to carry out its statutory responsibilities which are implemented by the University's Plant Pest Regulatory Service.

By mail ballot of December 7, 1982, the State Crop Pest Commission approved conduct of the referendum for January 28, 1983.

Recommendation of the Administration: That the full Board note for the record the action of the State Crop Pest Commission approving conduct of the Boll Weevil Eradication/Suppression Program referendum for January 28, 1983.

Board Action: Noted

Item 15. Bids for Expansion of Memorial Stadium

Statement: Bids for the North Stands addition and other modifications to Memorial Stadium were opened publicly in the Clemson House at 2 P.M. October 14, 1982. The total of the lowest base bid plus the three alternatives was determined to be within allotted funds availability. By mail ballot vote of October 15, 1982, the Members of the Board of Trustees approved the recommendation of the Administration that the contract in the amount of \$11,147,180.00, the sum of the base bid plus alternates 1, 2 and 3, be awarded to the low bidder, M. B. Kahn Construction Company of Columbia, South

Carolina.

Recommendation of the Executive Committee: That the mail ballot vote of October 15, 1982 awarding the construction contract to M. B. Kahn Construction Company be confirmed and ratified.

Board Action: Confirmed and ratified

Item 16. Fertilizer Mislabeling Infraction

Statement: On January 12, 1983 the Department of Fertilizer Inspection and Analysis recommended to the Fertilizer Board of Control approval of fines to be levied against a manufacturer of fertilizer based on analytical findings of samples of the fertilizer which did not match the guarantees on the label and were deficient when compared to the guarantees on the label. The penalties recommended were in line with past practice which has received Fertilizer Board of Control approval. On January 14, 1983 the Fertilizer Board of Control approved the fines.

Recommendation of the Administration: That the Board of Trustees confirm and ratify for the record the action of the Fertilizer Board of Control of January 14, 1983, and recommend that the Board of Control take into account any previous irregularities in determining the seriousness of penalties to be imposed against fertilizer manufacturers.

Board Action: Confirmed and ratified

Item 17. Acquisition of Private Property at 112 Daniel Drive

Statement: At its meeting on January 22, 1982 the Board of Trustees directed the Administration to invest and reinvest a \$120,000 cash bequest received in the will of the late James M. Breazeale of Belton, with ultimate disposition of the corpus to be determined in the future. At its meeting on July 9, 1982 the Board adopted a resolution authorizing the Administration to negotiate for purchase of the Richardson property located at 112 Daniel Drive, Clemson (immediately north of the Clemson House). The University reached agreement for purchase of the property for \$145,000.00 and requested approval by the Commission on Higher Education for purchase at that price. The Commission asked to be informed of the source of the funds to be used for the purchase. Various sources were described, one of which was the Breazeale bequest. The Commission granted approval for purchase utilizing those funds.

Recommendation of the Executive Committee: That the Board of Trustees authorize the Administration to utilize the Breazeale funds toward purchase of the Richardson property.

Board Action: Approved

Item 18. Board Policy on Reorganization of Athletic Department

The Chairman read the following:

"In an executive session of the Executive Committee meeting, the Board members present engaged in an extensive discussion with President Atchley of his reorganization plans for the Athletic Department. The President has been directed to continue with its implementation, recognizing that it is a transition plan which is not yet final but is subject to modification as the Administration sees fit."

Item 19. Statutory Roll Call Vote


RESOLUTION: RESOLVED that all measures and recommendations made at this, the January 14, 1983 meeting, which according to the By-laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

Board Action: The Resolution was adopted with ten members present voting "Aye."

Item 20. Adjournment

There being no further business the meeting of the Board was adjourned.

Respectfully submitted,


Joseph B. McDevitt
Secretary of the
Board of Trustees